

HON. RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

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|---------------------------|---|------------------------------|
| UNITED STATES OF AMERICA, |) | No. CR20-139-RAJ |
| |) | |
| Plaintiff, |) | |
| |) | ORDER GRANTING UNOPPOSED |
| v. |) | MOTION TO CONTINUE TRIAL AND |
| |) | PRETRIAL MOTIONS DEADLINE |
| JAMES M. JIMICUM, |) | |
| |) | |
| Defendant. |) | |

THE COURT has considered the unopposed motion of the parties to continue the trial date and pretrial motions deadline and finds that:

(a) taking into account the exercise of due diligence, a failure to grant a continuance in this case would deny counsel for the defendant the reasonable time necessary for effective preparation due to counsel's need for more time to review the evidence, consider possible defenses, and gather evidence material to the defense, as set forth in 18 U.S.C. § 3161(h)(7)(B)(iv); and

(b) a failure to grant such a continuance in this proceeding would likely result in a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i); and

(c) the additional time requested is a reasonable period of delay, as the defendant has requested more time to prepare for trial, to investigate the matter, to gather evidence material to the defense, and to consider possible defenses; and

1 (d) the ends of justice will best be served by a continuance, and the ends of
2 justice outweigh the best interests of the public and the defendant in any speedier trial,
3 as set forth in 18 U.S.C. § 3161(h)(7)(A); and

4 (e) the additional time requested between the current trial date of November 6,
5 2020 and the new trial date is necessary to provide counsel for the defendant the
6 reasonable time necessary to prepare for trial, considering counsel's schedule and all of
7 the facts set forth above; and

8 IT IS THEREFORE ORDERED that the defendant's Unopposed Motion to
9 Continue Trial Date and Pretrial Motions Deadline (Dkt. #17) is GRANTED. The trial
10 date in this matter shall be continued to May 10, 2021. All pretrial motions, including
11 motions in limine, shall be filed no later than April 5, 2021.

12 IT IS FURTHER ORDERED that the period of delay from the date of this order
13 to the new trial date of May 10, 2021, is excludable time pursuant to 18 U.S.C. §§
14 3161(h)(7)(A) and (h)(7)(B)(iv).

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16 DATED this 30th day of September, 2020.

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19 The Honorable Richard A. Jones
20 United States District Judge
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